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February 28, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF AN ORDINANCE TO AMEND LOS ANGELES COUNTY CODE TITLE 8 -  
CONSUMER PROTECTION AND BUSINESS REGULATIONS  
(ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

Approval of an ordinance to amend Los Angeles County Code Title 8 - Consumer Protection and Business Regulations.

**IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING,**

1. Introduce, waive reading and place on the agenda for adoption the attached ordinance (Exhibit A) amending Los Angeles County Code (LACC) Title 8 – Consumer Protection and Business Regulations, to implement mid-year fee revisions, including the establishment of a new public health permit fee category for food vehicle, independent delivery.
2. Waive the use of a refund claim for licensees and permittees as required by LACC, Title 8, Section 8.04.910, and authorize the Treasurer and Tax Collector (TTC) to issue automatic refunds to all licensees and permittees affected by the revised fees, who made a payment at the prior fee level.
3. Waive any late payment penalty for licensees and permittees affected by the revised fees who did not make a payment by the delinquency date identified on their original billing from TTC, as required by LACC, Title 8, Section 8.04.840, and establish a new delinquency date of the 32nd day after TTC issues the revised billing statement.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On August 2, 2011, your Board approved an ordinance to implement new and revised public health permit and service fees for fiscal year (FY) 2011-12. On July 26, 2011, your Board instructed the Director of the Department of Public Health (DPH) to review the impact of the new fees being implemented and to report back to your Board in six months regarding the process. In response to the motion, the DPH Environmental Health Division (EH) performed further analysis and continued its meetings with the industry and discussions with individual operators.

EH reviewed inspection approach, enforcement authority, and public health risks. On November 1, 2011, DPH sent your Board a Preliminary Report on the Mid-Year Review of Public Health Fees for FY 2011-12 (Attachment A), describing nine business operation categories that were under review:

- Food carts offering low risk/prepackaged foods;
- Dry cleaners that also have conventional washing machines;
- Wholesale food processors handling low risk foods;
- Sewage pumper trucks;
- Independent wholesale delivery vehicles;
- Day care centers;
- Independent retail delivery vehicles;
- Personal hawkers, and
- Plan review of onsite wastewater treatment systems

As a result of the review, it has been determined that seven of the nine identified business operation categories in the Preliminary Report should be adjusted mid-year for FY 2011-12. The remaining two categories, wholesale food processors handling low risk foods and plan review of onsite wastewater treatment systems, require further review and will be considered for adjustment for FY 2012-13.

Approval of the recommended actions will revise seven existing public health permit fee categories as described under Facts and Provisions/Legal Requirements. In addition, approval of the recommended actions will establish a new public health permit fee category: food vehicle, independent delivery. Approval of the recommended actions will decrease all corresponding public health permit fees consistent with EH's revised business model. It will also delete the public health permit fees for day care centers, which are subject to State regulation. The fee reductions will be effective for FY 2011-12, resulting in refunds to operators in accordance with the attached mid-year public health permit fee amending ordinance.

Approval of the recommended actions will streamline the process of providing refunds to licensees and permittees affected by the reductions in license and permit fees. The approval would authorize TTC to identify all licensees and permittees who paid the previous license or permit fee and issue refunds to all rate payers whose fee is reduced. If this recommendation is not approved, TTC is only authorized to process a refund after the licensee or permittee has filed a claim for refund.

Approval of the recommended actions would waive late payment penalty fees for licensees and permittees who did not make a payment by the delinquency date identified on their original billing from TTC. In addition, TTC would be authorized to establish a new delinquency date for licensees and permittees who are issued a bill for the revised public health license or permit fee. If this recommendation is not approved, licensees and permittees who did not pay the prior license or permit fee are required to pay a penalty equal to 25 percent of the fee or \$50.00, whichever is greater, plus an additional amount equal to one and one-half percent of the license or permit fee, in addition to the revised license or permit fee.

Approval of the recommended actions will also amend LACC Title 8 to reflect technical and non-substantive changes to public health license, permit, and service fees.

### **Implementation of Strategic Plan Goals**

The recommended actions support Goal 1, Operational Effectiveness; Goal 4, Health and Mental Health; and Goal 5, Public Safety, of the County's Strategic Plan.

### **FISCAL IMPACT/FINANCING**

The recommended mid-year fee reductions for FY 2011-12 are based on EH's revised business model. The estimated loss in fee revenue is approximately \$1.09 million for FY 2011-12.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

EH is a regulatory agency that performs mandated services including, but not limited to, inspections and investigations related to food, housing, drinking water, water pollution, solid waste, and vector management. State and local health and safety codes provide EH authority to carry out regulatory activities to ensure that the public enjoys a safe and healthy environment. These regulatory activities are principally offset by the collection of fees for licenses/permits and other services. State law permits EH to collect fees to offset the "reasonable expenses" that arise from its general enforcement activities and, in the area of retail food activities, the "actual expenses" incurred in enforcing the California Retail Food Code.

Prior to your Board's August 2, 2011 approval of the ordinance implementing new and revised public health permit and service fees for FY 2011-12, EH held a total of 16 meetings between April 26 and June 16, 2011, with associations representing the impacted parties. Meeting participants included the California Restaurant Association, the Los Angeles Area Chamber of Commerce, the Central City Association of Los Angeles, the Valley Industry and Commerce Association, the California Apartment Association of Greater Los Angeles, the California Apartment Association-Los Angeles Chapter, the Southern California Mobile Food Vendors, La Asociacion de Loncheros, the Food Industry Business Roundtable, the Motion Picture and Television Mobile Catering Organization, members of the food vending machine industry, Certified Farmers' Market managers and vendors, and the Single Room Occupancy (SRO) Housing Corporation.

In addition, public meetings were held on May 3, May 4, May 31, June 13, June 14, and July 7, 2011. Prior notice of these meetings was provided via e-mail, web posting, and direct mail. Notice of the June and July meetings was sent to 130,000 existing and 3,000 proposed fee payers. For those unable to attend the meetings, EH established an e-mail address and dedicated phone line to receive public comments. EH received comments about the proposed changes at the industry and public meetings and through the dedicated phone line and e-mail address. As a result of input received from the industries and the general public and based on further review by EH, modifications were made to the fee ordinance, which was adopted in August 2011 and became effective September 1, 2011.

As a result of this ongoing communication with the industries, EH continued to receive comments regarding the operation of its programs. Some of these comments tied into EH's ongoing analysis of its business model and fee structure leading to additional opportunities for adjustments based on increased efficiencies. The following are brief descriptions of the adjustments to each business

operation category, the corresponding fee category, and the proposed changes to the current business model:

- Food Carts Offering Low Risk/Prepackaged Foods – (Fee category: Food Cart/Low Risk)

The inspection of prepackaged food carts, including ice cream carts, has historically included two inspections. The first is an equipment-only inspection that takes place at the commissary where the cart is stored each night. The purpose of this inspection is to ensure that the equipment itself is constructed, maintained, and functioning in accordance with public health requirements. The second is an inspection in the field to ensure that the business operation is being conducted in compliance with public health requirements, including the sale of only pre-packaged foods from approved sources. Historically, fee payers in this category were charged for one equipment inspection per year and one presumed field inspection per year. EH believes these inspections could be performed more efficiently if the number were reduced to one presumed field inspection every two years, which is reasonable given the low risk associated with this business operation category. This will result in a decrease to the current fee.

- Dry Cleaners with Conventional Washing Machines – (Fee category: Commercial Laundry less than 4,000 square feet)

Dry cleaners are regulated by the Los Angeles County Fire Department, but typically have one or more conventional washing machines that require a separate inspection by EH. Currently, the public health fee is based on the size of the dry cleaning facility. EH's review suggests that these inspections could be performed more efficiently if the number were reduced to one inspection per year, which is reasonable due to limited public health risk. This will result in a decrease to the current fee.

- Sewage Pumper Trucks – (Fee category: Septic Tank, Cesspool, Chemical Toilet or Sewage Seepage-Pit Cleaning Vehicle)

Sewage pumper trucks are typically inspected at remote locations requiring substantial travel time on the part of EH staff. These inspections could be performed more efficiently if arrangements were made with operators to conduct the inspections at defined, centralized locations. This will result in a decrease to the current fee.

- Independent Wholesale and Retail Delivery Vehicles – (Fee category: Food Vehicle, Independent Delivery)

Independent wholesale and retail delivery vehicles are currently permitted as food vehicle, low risk. A new fee category will be established to include these two types of business operations:

- o Independent Wholesale Delivery Vehicles - Operators of independent wholesale delivery vehicles which pick up food products from licensed processors or warehouses and deliver the products to retail outlets.
- o Independent Retail Delivery Vehicles - Operators of independent retail delivery vehicles which pick up food products from licensed processors or warehouses and deliver the products to consumers according to a prior order.

The new fee category will extract these two business operations from the Food Vehicle, Low Risk fee category. The Food Vehicle, Low Risk fee category receives an equipment-only inspection that takes place at the commissary and an inspection in the field to ensure that the business operation is being

conducted in compliance with public health requirements.

EH believes these inspections could be performed more efficiently if the number were reduced to one annual certification inspection on Food Vehicles, Independent Delivery, which is reasonable since retail food sales are not conducted from the vehicles. This will result in a decrease to the current fee.

- Day Care Centers – (Fee categories: Day Care Center 7-15 children, Day Care Center 16-50 children, and Day Care Center 51+ children)

EH proposes to discontinue the inspection and licensing of day care centers as EH has determined that California Health and Safety Code, Section 1596.72 specifies that the California Department of Social Services is the authority responsible for the regulation of child care facilities.

- Personal Hawker – (Fee category: Personal Hawker)

A Personal Hawker is a person who vends processed prepackaged food, other than potentially hazardous food, which is carried by the person in a container. EH will correct a clerical error in the workload estimate, resulting in a decrease to the current fee.

LACC provisions regarding the expedited plan check process are being amended to clarify that fee payers are not required to pay twice if they request both an expedited plan review and an expedited construction inspection.

Pursuant to California Government Code, Section 66018, a local agency must hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors, before adopting an ordinance, resolution, or other legislative enactment adopting a new fee, and shall publish notice of the public hearing in a newspaper in accordance with Government Code Section 6062a.

The Auditor-Controller has reviewed and approved the proposed fees as to reasonableness. County Counsel has reviewed and approved Exhibit A as to form.

## **ENVIRONMENTAL DOCUMENTATION**

Adoption of the recommended Ordinance is for the purpose of meeting operating expenses and is exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273(a) of the California Environmental Quality Act Guidelines.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

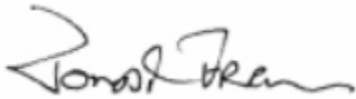
If adopted, the amended ordinance will allow DPH to adjust certain public health permit fee categories based on a methodology designed to reflect the actual cost of the services provided by EH. The adjusted services reflect increases in efficiencies and will not result in the compromising of public health and safety.

**CONCLUSION**

The recommended ordinance supports the refinement, based on increased efficiencies, of an activity-based fee structure to recover the costs of services provided by EH, including enforcement of health and safety code requirements.

EH will continue to review fee-related issues, in consultation with the regulated industries, and if necessary, will return to your Board with additional recommended public health permit fees adjustments for FY 2012-13.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jonathan E. Fielding", written in a cursive style.

JONATHAN E. FIELDING, M.D., M.P.H.

Director and Health Officer

JEF:ev

Enclosures

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors  
Auditor-Controller  
Treasurer and Tax Collector

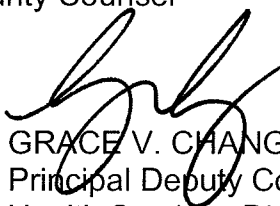
## ANALYSIS

This ordinance amends Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, Chapter 4, relating to fees and fee category definitions for inspections conducted by the Department of Public Health by:

- Modifying Title 8 definitions relating to public health fees to make them consistent with the definitions found in State laws and regulations, and to create new categories of service fees; and
- Modifying Title 8 fee provisions.

ANDREA SHERIDAN ORDIN  
County Counsel

By



GRACE V. CHANG  
Principal Deputy County Counsel  
Health Services Division

GVC:vn

Requested: 12/15/11  
Revised: 01/17/12

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 8.04.088 is hereby amended as follows:

**8.04.088 Community event/~~seasonal event permit~~ organizer.**

~~"Community event/seasonal event permit organizer" means written authorization to operate issued by the County health officer to a community event sponsor or food booth following approval of an application and payment of the appropriate service fee a~~  
person who is responsible for the maintenance of all areas and facilities that are used by the public or are shared by food booths at a community event.

**SECTION 2.** Section 8.04.089 is hereby amended as follows:

**8.04.89 Community event/~~seasonal event permit sponsor/organizer~~.**

~~"Community event/seasonal event permit sponsor/organizer" means a person who is responsible for the maintenance of all areas and facilities that are used by the public or are shared by food booths at a community event~~  
written authorization to operate issued by the County health officer to a community event organizer or food booth following approval of an application and payment of the appropriate service fee.

**SECTION 3.** Section 8.04.110 is hereby deleted in its entirety:

**~~8.04.110 Day care center.~~**

~~"Day care center" means any place or premises, including a nursery school, used for full or part day reception and care or education, apart from or in the absence of their~~



~~parent or guardian, with or without compensation, of seven or more children under the age of 16 years, which children are unrelated to the operator.~~

**SECTION 4.** Section 8.04.190 is hereby amended to read as follows:

**8.04.190 Food vehicle, independent delivery.**

A. "Independent ~~wholesale~~delivery food vehicle" means any motorized conveyance delivering any of the following foods, or any combination thereof, either as a retail independent delivery vehicle pursuant to a prior order or as wholesale independent distributor:

1. ~~Wholesale independent m~~Milk or other dairy products~~distributor vehicle;~~
2. ~~Wholesale independent m~~Meat, fish, shellfish, or other seafood~~distributor vehicle;~~
3. ~~Wholesale independent b~~Bakery goods~~distributor vehicle;~~
4. ~~Wholesale independent f~~Fruit and vegetables~~distributor vehicle;~~
5. ~~Wholesale independent g~~Groceries~~y distributor vehicle;~~
6. Ice or beverages;
7. Any other type of food or food product.
6. ~~Combination of the above;~~
7. ~~Or any vehicle from which bakery products, fish, shellfish, seafood, fruit, vegetables, meats, poultry, jelly, preserves, relish, milk or any other dairy products,~~

~~food or food products, ice, or beverages, whether in bulk, canned, wrapped, bottled, packaged, or any other form, are sold or kept for sale at wholesale or for distribution to the retailer.~~

B. Vehicles used by a fixed-location restaurant, food warehouse, fruit and vegetable market, food market, or food processing establishment having a valid public health permit under this chapter to deliver food products from said establishment to other locations shall not be required to have a separate public health permit under this chapter.

C. Any "~~independent wholesaledelivery~~ food vehicle" originating outside of the jurisdiction of the health officer, ~~e~~County of Los Angeles, which has been inspected by the health officer at the jurisdiction of origin and which bears an identification that the jurisdiction of origin has issued a public health permit shall not be required to obtain a public health permit under this chapter.

**SECTION 5.** Section 8.04.200 is hereby amended to read as follows:

**8.04.200 Food vehicle, retail.**

A. "Retail food vehicle" means any motorized or non-motorized conveyance or portable food service unit upon which prepackaged or approved unpackaged food is sold or offered for sale at retail. Categories of retail food vehicles include:

1. Animal food vehicle;
2. Bakery-distributor vehicle ~~(independent, retail)~~;
3. Fish peddler vehicle;
4. Food vehicle— Department of Motor Vehicles exempt;

5. Food salvage distributor vehicle;
6. Fruit and vegetable vehicle;
7. Grocery distributor vehicle;
8. ~~Independent ice distributor~~ vehicle;
9. ~~Independent retail m~~Meat vehicle;
10. ~~Independent m~~Milk distributor vehicle, ~~not a processor-owned milk delivery vehicle~~;
11. Industrial catering vehicle;
12. Limited food vehicle;
13. Unpackaged food vehicle;
14. Prepackaged food cart, a non-motorized vehicle, from which the operator dispenses prepackaged and labeled food;
15. Any combination of the above;
16. Or any vehicle, including, but not limited to, a mobile food facility, from which animal food, bakery products, fish, shellfish, seafood, fruits, vegetables, meats, poultry, preserves, jelly, relish, milk or other dairy products, food or food products, ice or beverages, whether in bulk, canned, wrapped, bottled, packaged, or any other form, are sold or kept for sale at retail ~~or are distributed to the consumer~~.

B. Vehicles owned and operated by a fixed-location food market, restaurant or other business having a valid public health permit under this chapter to deliver food products from said establishment to other locations shall not be required to have a separate public health permit under this chapter.

**SECTION 6.** Section 8.04.720 is hereby amended to read as follows:

**8.04.720 Fee schedule.**

<b>Business Classification</b>	<b>Permit Fee</b>
Animal food market	\$175.00
Animal keeper:	
Category I	454.00
Category II	562.00
Category III	616.00
Boarding home:	
7 to 15 persons	508.00
16 to 50 persons	616.00
51 or more persons	681.00
Body art:	
Body art establishment	783.00
Body art technician independent operator	212.00
Caterer:	
0 to 999 square feet	1,895.00
1,000 to 1,999 square feet	2,069.00
2,000 or more square feet	2,624.00
Certified farmers' markets sponsor:	
1 to 20 certified producers	187.00
21 or more certified producers	281.00

<b>Business Classification</b>	<b>Permit Fee</b>
Children' s camp	671.00
Children' s day camp	865.00
Commercial sex venue	1,088.00
Commercial laundry:	
Less than 4,000 square feet	<del>260.00</del> 519.00
More than 4,000 square feet	671.00
Day care center:	
7 to 15 children	454.00
16 to 50 children	508.00
51 or more children	541.00
Fertilizer manufacturer	1,557.00
Food demonstrator	379.00
Food facility or food establishment reinspection	126.00
Food market, retail:	
25 to 1,999 square feet— low risk	251.00
25 to 1,999 square feet— moderate risk	629.00
25 to 1,999 square feet— high risk	1,003.00
2,000 or more square feet— low risk	337.00
2,000 or more square feet— moderate risk	719.00
2,000 or more square feet— high risk	1,166.00

<b>Business Classification</b>	<b>Permit Fee</b>
Food market, wholesale	856.00
Food market complex, wholesale	1,250.00
Food processing establishment:	
Less than 2,000 square feet of food preparation	2,000.00
2,000 to 5,999 square feet of food preparation	2,354.00
6,000 square feet or more of food preparation	2,624.00
Reinspection— all sizes	174.00
Food salvager	1,817.00
Food vehicle:	
<u>Food vehicle, independent delivery</u>	<u>110.00</u>
Mobile food facility— food cart, low risk	<u>342.00</u> 602.00
Mobile food facility— food cart, high risk	671.00
Mobile food facility— food vehicle, low risk	602.00
Mobile food facility— food vehicle, high risk	787.00
Food vehicle commissary:	
0 to 10 vehicles	498.00
11 or more vehicles	567.00
Food vehicle storage facility	332.00

<b>Business Classification</b>	<b>Permit Fee</b>
Food vehicle cleaning and storage facility	366.00
Food warehouse:	
1 to 4,999 square feet	352.00
5,000 or more square feet	387.00
Garment manufacturing establishment:	
Up to 1,000 square feet	519.00
1,001 to 4,999 square feet	584.00
5,000 to 9,999 square feet	606.00
10,000 to 19,999 square feet	627.00
More than 20,000 square feet	692.00
Garment manufacturing complex	671.00
Hotel or motel:	
6 to 10 rooms	433.00
11 to 20 rooms	433.00
21 to 50 rooms	530.00
51 to 100 rooms	552.00
101 rooms and over	649.00
Laundry (self-service):	
Less than 4,000 square feet of work rooms	162.00
4,000 square feet or more of work rooms	221.00
Multiple-dwelling units:	

<b>Business Classification</b>	<b>Permit Fee</b>
Apartments— 5 to 10 units	299.00
Apartments— 11 to 20 units	309.00
Apartments— 21 to 50 units	368.00
Apartments— 51 to 100 units	394.00
Apartments— 101+ units	417.00
Condominiums— 5 to 10 units	110.00
Condominiums— 11 to 20 units	120.00
Condominiums— 21 to 50 units	133.00
Condominiums— 51 to 100 units	194.00
Condominiums— 101 or more units	284.00
Personal hawker	<del>195.00</del> 863.00
Private boarding school	649.00
Private school cafeteria	476.00
Recycled water:	
Inspection	260.00
Use site registration	65.00
Residential hotel/single room occupancy:	
6 to 10 units	433.00
11 to 20 units	433.00
21 to 50 units	530.00
51 to 100 units	552.00
101 or more units	649.00



<b>Business Classification</b>	<b>Permit Fee</b>
Restaurant:	
0 to 30 seats— low risk	277.00
0 to 30 seats— moderate risk	625.00
0 to 30 seats— high risk	1,049.00
31 to 60 seats— low risk	299.00
31 to 60 seats— moderate risk	663.00
31 to 60 seats— high risk	1,138.00
61 to 150 seats— low risk	322.00
61 to 150 seats— moderate risk	729.00
61 to 150 seats— high risk	1,196.00
151 seats or more— low risk	348.00
151 seats or more— moderate risk	810.00
151 seats or more— high risk	1,250.00
(In computing drive-in restaurant seating capacity, each customer parking space shall be calculated as equivalent to a seating capacity of two. Notwithstanding any of the foregoing, when the restaurant is a snack bar or refreshment stand on the premises of a walk-in or drive-in theater, as set forth in Section 8.04.400 of this chapter, the fee shall be equivalent to that imposed on a restaurant of less than thirty (30) seats.)	
Senior feeding site	314.00
<u>Sewage pumper truckSeptic tank, cesspool, chemical toilet, or seepage – pit</u>	<u>182.00422.00</u>

<b>Business Classification</b>	<b>Permit Fee</b>
<u>cleaning vehicle</u>	
Swap meet prepackaged food booth	158.00
Swimming pool or public swimming area:	
High risk:	
First pool at location	876.00
Each additional pool at the same location	454.00
Low risk:	
First pool at location	238.00
Each additional pool at the same location	141.00
Moderate risk:	
First pool at location	584.00
Each additional pool at the same location	303.00
Theater (including drive-in)	234.00
Tobacco retail license fee	235.00
Toilet rental agency	476.00
Vending machines	62.00
Water systems:	
15 to 24 service connections	1,103.00
25 to 99 service connections	1,233.00
100 to 199 service connections	1,363.00

<b>Business Classification</b>	<b>Permit Fee</b>
Local small water system (1 to 4 service connections)	714.00
State small water system (5 to 14 service connections)	844.00
Non-community water system non-transient	844.00
Non-community water system transient	844.00
Wiping rag business	714.00

**SECTION 7.** Section 8.04.728 is hereby amended to read as follows:

**8.04.728 Service charges – Basis – Payment.**

A. Whenever another government jurisdiction requires a person to secure an inspection, evaluation, report or approval by the County health officer, necessitating the County health officer to provide a service, such person shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

B. Any person who voluntarily seeks to secure, from the County health officer, an inspection, evaluation, report, approval, or other service not listed in Section 8.04.720 shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

C. Requests for special services described in Subsections A and B of this section shall be made on forms provided for that person by the County health officer. Services provided by the County health officer that are not listed in Section 8.04.720

and that are not detailed in the Schedule of Service Charge in Subsection F, shall be charged in accordance with the following Standard Hourly Billing Rate Schedule. All applicable fees, as provided in this chapter, shall be paid at the time of application or request.

<b>Position Classification</b>	<b>Rate (\$/hr)</b>
Chief Environmental Health Specialist	\$153.00
Clerical— Blended	68.00
Environmental Health Specialist II	116.00
Environmental Health Specialist III/IV Environmental Health Staff	129.00
Environmental Health Technician	77.00
Epidemiologist	148.00
Industrial Hygienist	141.00
Senior Radiation Protection Specialist	139.00

D. The County health officer, upon request and in his discretion, may provide to a party requesting plan review an Expedited Construction Inspection. ~~An~~The initial Expedited Construction Inspection ~~shall consist of an initial and final inspection to be~~ completed within ~~ten (10) working days~~forty-eight (48) hours from receipt of payment of the fee. ~~A~~The fee shall be charged at the rate of one and a half (1.5) times~~shall be one half (0.5) of~~ the appropriate plan check fee and shall cover the cost of the initial and, if the County health officer deems it necessary, a final construction inspection. If a final construction inspection is deemed necessary, the party shall submit a separate request

for such final construction inspection which shall be completed within forty-eight (48) hours from the time said request is received. Any additional construction inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

E. The County health officer, upon request and in his discretion, may provide to a party requesting ~~plan review~~ an Expedited Plan Check Review Process. An Expedited Plan Check Review Process shall consist of the initial plan review to be completed within ten (10) working days from receipt of payment of the fee and one follow-up plan review, and upon separate request, an initial and, if the County health officer deems it necessary, a final construction inspection to be completed within forty-eight (48) hours from the time said request is received. A fee shall be charged at the rate of one and a half (1.5) times the appropriate plan check fee and shall cover the cost of the expedited initial and follow-up plan review and the expedited initial and final construction inspections. Any additional reviews or inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

F. Following is the Schedule of Service Charges for services provided by the County health officer. Failure to pay said fees constitutes a violation of this section and may be prosecuted as such.

Backflow prevention assembly (each):	\$20.00
Backflow prevention device tester:	
Biennial certification examination tester fee	296.00

Listing of certified backflow prevention device testers	240.00
Body art establishment, temporary	258.00
Body art technician:	
Triennial certificate of registration	47.00
Body art temporary event sponsor	1,426.00
Coastal Commission— Approval in concept	392.00
Community event (a separate permit is required for each event and each location):	
Community event organizer <del>or sponsor</del>	311.00
Temporary food booth— demonstrator	51.00
Temporary food booth— prepackaged	71.00
Temporary food booth— prepackaged with food sampling	101.00
Temporary food booth— food preparation	160.00
Temporary food booth at certified farmers' market-Annual, food preparation	441.00
Temporary food booth at certified farmers' market-Annual, Prepackaged	143.00
Temporary food booth at certified farmers' market-Annual, Prepackaged with food sampling	182.00
Entomology:	
Specimen identification	41.00
Massage parlor:	

Massage parlor inspection	175.00
Mountain cabin site:	
County health officer inspection (per United States Forest Service requirements)	Functional hourly rate
Nondiagnostic laboratories:	
Annual fee	150.00
Additional fee site	48.00
Additional diagnostic test fee	144.00
Owner initiated inspection:	
a. Restaurant— low risk	287.00
b. Restaurant— moderate risk	340.00
c. Restaurant— high risk	383.00
d. Food market retail— low risk	250.00
e. Food market retail— moderate risk	312.00
f. Food market retail— high risk	333.00
Private sewage disposal system:	
County health officer inspection (per VA/FHA requirements)	365.00
County health officer permit (per Title 28, Los Angeles County Code, Ordinance 2269, Section 1109):	
New system	389.00
Existing system	454.00

Public health license waiver letter request (garment industry)	249.00
Public/state water system enforcement activities:	
Public water system administrative hearing	324.00
Public water system citation	649.00
Public water system NOV	260.00
State— local water system administration hearing	324.00
State— local water system citation	519.00
State— local water system NOV	260.00
Site transfer/site address change	51.00
Soft serve high count resample	389.00
Swimming pool service <u>technician/apprentice</u> exam and certification:	
Swimming pool service technician/ <u>apprentice</u> exam	184.00
Swimming pool service <u>technician/apprentice</u> <u>technician</u> certification <u>renewal fee</u>	65.00
Water sampling— commercial for USDA	714.00
Water supply yield:	
Water supply yield test— commercial	1,038.00
Water supply yield test— residential four (4) connections or less	844.00



Water supply yield test— residential each additional connections beyond four (4)	519.00
Water treatment system evaluation	519.00
Wells:	
Monitoring well construction (less than twenty-five (25) wells per parcel)	519.00
Monitoring well construction twenty-five (25) or more wells per parcel	130.00
Well construction (production, cathodic, irrigation)	844.00
Well destruction— or renovation (production, cathodic, irrigation)	1,103.00
Geothermal heat exchange well construction	519.00
Well application cancellation	65.00
Well site plan review	584.00

[804110GCCC]



COUNTY OF LOS ANGELES

# Public Health

JONATHAN E. FIELDING, M.D., M.P.H.  
Director and Health Officer

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November 1, 2011

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.  
Director and Health Officer

SUBJECT: **PRELIMINARY REPORT ON MID-YEAR REVIEW OF PUBLIC HEALTH  
FEES FOR FY 2011-12**

On August 2, 2011, the Board of Supervisors approved an ordinance revising public health permit and service fees for Fiscal Year (FY) 2011-12. On motion of Supervisor Knabe, the Board also instructed the Director of the Department Public Health (DPH) to continue to evaluate fee-related issues in consultation with the industries, and to report back to the Board in six months. Although we are scheduled to provide this report in January 2012, the purpose of this memorandum is to provide your Board with our preliminary findings.

In response to Supervisor Knabe's Motion and the related motion by Supervisor Yaroslavsky on improvements in service quality, DPH has continued discussions directly with permit holders, as well as several industry associations including the California Restaurant Association, the Southern California Mobile Food Vendors, the Food Industry Business Roundtable, the Motion Picture and Television Mobile Catering Organization, members of the food vending machine industry, and the managers of Certified Farmers' Markets.

With regard to the review of permit and service fees, based upon comments from various stakeholders, and as a result of independent internal efforts currently underway, we have identified nine service categories to date that warrant changes in our existing business practices. These changes may result in a decrease in certain fees, as described more fully below, and we are currently working with County Counsel and the Treasurer-Tax Collector to determine the appropriate mechanism to adjust fees. The

time frame for Board consideration of the recommended adjustments is in early 2012. The following is a listing of the fee areas under review:

1. *Food Carts Offering Low Risk / Prepackaged Foods*

The DPH inspection of prepackaged food carts, including ice cream carts have historically included two inspections. The first involves an equipment inspection that takes place at the commissary where the cart is stored. The second is an inspection in the field to ensure the cart is operated in compliance with State law. We believe it is appropriate to consolidate these two inspections in order to increase efficiency. This action would result in a reduction in the current fee.

2. *Dry Cleaners with Conventional Washing Machines*

Dry cleaners are regulated by the County Fire Department, but typically have one or more conventional washing machines that require a separate inspection by DPH. Currently, the public health fee is based on the size of the entire dry cleaning facility. Our review suggests it may be more equitable to base the fee on the number of washing machines rather than total square footage of the facility. This would result in a reduction in fees for some permit holders.

3. *Wholesale Food Processors Handling Low Risk Foods*

Wholesale food processors typically require three inspections per year due to complexity and relatively high food safety risks. However some food processors solely handle low risk foods that only require one or two inspections per year. This modification would also result in a reduction in fees for this subgroup of wholesale food processors.

4. *Sewage Pumper Trucks*

Sewage pumper trucks are typically inspected in remote locations that requires substantial drive time for DPH staff. These inspections could be more efficient if arrangements were made with operators to conduct the inspections at defined, more centralized locations. This would result in a fee reduction.

5. *Independent Wholesale Delivery Vehicles*

Operators of independent wholesale delivery vehicles who pick up produce, milk or dairy products from a licensed processor or warehouse and deliver to retail outlets warrant one inspection per year, rather than the two inspections currently provided to low risk retail food trucks. This would result in a fee reduction.

6. *Day Care Centers*

Day care centers are under the jurisdiction of the State and are not subject to local regulation. Nevertheless, these facilities have historically been inspected by DPH. After review, we believe these facilities should be removed from our inspection inventory and the corresponding permit fee category deleted.

7. *Miscellaneous Categories*

Between now and the end of the year, DPH will review the scope of work and business practices related to independent retail milk delivery vehicles, personal hawkers, and plan review of onsite wastewater treatment systems. In addition, our review may identify other services warranting a change.

Attached is a chart showing the universe of permits by fee category under review.

If you should have any questions or would like more information, please let me know.

JEF:jt

Attachment

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors

**LOS ANGELES COUNTY - DEPARTMENT OF PUBLIC HEALTH****Environmental Health Fee Categories Under Review**

October 2011

<b>Category</b>	<b>Estimated # of Permits</b>	<b>Fee Approved for FY 2011-12</b>
Food Carts Offering Low Risk / Prepackaged Foods	1,200	\$602
Dry Cleaners with Conventional Washing Machines	500	\$519 - \$671
Wholesale Food Processors Handling Low Risk Foods	50	\$2,000 - \$2,624
Sewage Pumper Trucks	500	\$422
Independent Wholesale Delivery Vehicles	200	\$602
Day Care Centers	750	\$454 - \$541
Personal Hawker	3	\$863
Independent Milk Retail Delivery Vehicles	6	\$602
Onsite Waste Water Treatment Systems Plan Review	500	\$365 - \$454